

REMARKS

Claims 1 and 5 – 16 are pending.

I. Rejection under 35 U.S.C. § 102(a)

Claims 1, 8 – 11, 15, and 16 stand rejected under 35 U.S.C. § 102(a) as being allegedly anticipated by Sauer *et al.* (J. Biol. Chem. 279, 8, 6613 – 6619, Feb. 20, 2004). In rejecting the claims, the Examiner states that "Applicants cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55." Final Office Action at page 3. In order to facilitate prosecution, Applicants attach an English-language translation of a priority document of the present application, French Application No. 0313056, filed on November 6, 2003. As such, the rejection under 35 U.S.C. § 102(a) is rendered moot and withdrawal of the rejections is respectfully requested.

II. Allowable Subject Matter

Applicants thank the Examiner for indicating that "Claims 5 – 7, 12 – 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Final Office Action at page 3. As the above 35 U.S.C. § 102(a) rejection is rendered moot, Applicants respectfully submit that Claims 1 and 5 – 16 are in condition for allowance.

CONCLUSION

In view of the amendments and remarks above, Applicants respectfully submit that this application is in condition for allowance and request favorable action thereon. The Examiner is invited to contact the undersigned if any additional information is required.

Applicants believe that no fees are due. If any additional fees are required, they may be charged to Deposit Account No. 50-4254, referencing Attorney Docket No. 2912956-027000.

Respectfully submitted,

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Date: February 25, 2011

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